HOME (1944) Department.

25

SERIES.

G.O. No. 1113

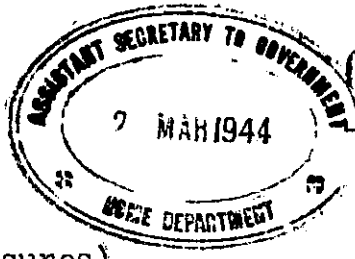
1113

Dated 6th April 1944.

[Despatch Abstract.]

Courts - Civil - SOUTH KANARA district - District Munsif's Court, COONDAPUR - Appointment of a temporary additional district munsif - Sanctioned.

R.O.C. No. 681 of 1944. D2.



6407E

2.3.44.

From

S. P. Thompson Esquire, I.C.S.,
Registrar, High Court, Madras.

To

The Secretary to the Government of Madras,
Home Department. (with enclosures).

Dated the 1st March 1944.

Sir,

Courts - Civil - District Munsif's Court, Coondapur
appointment of additional District Munsif - recommended.

I forward herewith a copy of letter No.A'43/1944 dated 10-2-44 and its enclosures from the District Judge, South Kanara in which he applies for provision to be made in the Budget for 1944-45 for the appointment of an additional District Munsif to the District Munsif's Court, Coondapur for a period of one year to clear off the arrears in the District Munsifs' Court, Coondapur and Udipi. This proposal was not made in August last in connection with the Part II schemes for 1944-45, as the need for relief was not foreseen at that time, as the Courts are not really heavy Courts which might be expected to require relief. The additional court is required because of the low outturn of work by Mr.Colaco at Coondapur and by Mr.Noronha at Udipi. Mr.Colaco has had a nervous brakedown and is a senior District Munsif who failed to complete satisfactorily his probation as a Sub Judge and Mr.Noronha is an inexperienced District Munsif on probation. It would cause serious inconvenience to the public to postpone until June 1945 the work of tackling the arrears.

The Honourable Judges therefore recommend that an additional District Munsif with the usual staff of 3 clerks and 3 peons be

appointed to the District Munsif's Court, Coondapur from the date of the reopening of the Court after the Summer recess 1944 i.e. from 6-6-1944, until the date of closing of the Court for the Summer recess 1945.

R E G I S T R A R.

Copy of letter No.A.43/1944 dated 10th February 1944 from the District Judge of South Kanara, Mangalore to the Registrar, High Court of Judicature, Madras.

Sub:- Courts - Civil - New appointment of Additional District Munsif - Requirements for 1944-45- proposals submitted.

In submitting proposals for the sanction of an additional District Munsif to the District Munsif's Court of Coondapur, I have the honour to state as follows:-

In the report submitted by this court with No.A.436/43 dated 21-8-1943 recommendation was made only for provision being made for the extension of the term of appointment of the Additional District Munsif of Kasaragod for a period of six months at least from 15th April 1944. Though the arrears in the District Munsifs' courts of Coondapur and Udipi were fairly large the need to apply for the appointment of an additional District Munsif to the District Munsif's Court, Coondapur, or to the District Munsif's Court, Udipi, was not so keenly felt.

At the commencement of the year 1943 there were 230 original suits pending in the District Munsif's Court, Coondapur, out of which only 5 were over a year old. The number of suits instituted during the first

seven months of the year i.e. up to 31-7-1943 was 303. 150 suits were disposed of during the period and of these only 28 were disposed of after full trial. The total pendency on 31-7-1943 was 391 and 52 out of these were over a year old. 205 original suits were instituted during the period August to December 1943 bringing the total institutions for the year up to 508. The disposals during the latter period were 150 and of these only 25 were disposed of after full trial. The total pendency on 31-12-1943 was 452 and of these 106 were over a year old. The total pendency of original suits increased from 230 at the commencement of the year to 452 at the close of the year and the pendency of old suits increased from 5 suits at the commencement of the year to 106 suits at the end of the year 1943. Of the 106 suits pending over a year 1 is of 1933, 2 of 1937, 2 of 1940, 2 of 1941 and 99 of 1942.

3 The District Munsif's court of Coondapur was presided over by Mr.C.L. Colaco during the year 1943 until he went on leave on 5-11-1943. Prior to that he had been on leave for a short period from 22-9-1943 to 25-9-1943. The increase in arrears in this court may possibly be due to the failing health of the presiding officer which compelled him to go on leave on medical grounds on 5-11-1943. The court was without a presiding officer from 5-11-1943 to 25-11-1943. Sri U.Narayana Rao has been presiding over the court from 26-11-1943. It will not be possible for him to cope with the large arrears of work in his court single handed though he is doing his best to bring down the pendency.

4 In the District Munsif's Court, Udipi 258 original suits were pending at the commencement of the year 1943 and out of these 74 suits were over a year old. The institutions for the first seven months of the year i.e. up to 31-7-1943 were 270 and the disposals during this period were 164 only. 22 suits were disposed of after full trial. The pendency on 31-7-1943 was 365 and out of these 156 suits were over a year old. The institutions during the period August to December 1943 were 167, bringing the total institutions for the year to 437. During this latter period 164 suits were disposed of and of these 50 were disposed of after full trial. The total number of suits instituted during the year was 437, the total number disposed of was 347 and the total number disposed of after full trial was 72. The total pendency at the commencement of the year 1943 was 258 (74 old) and the total pendency at the end of the year was 354 (145 old) of the 145 suits pending for over a year, 2 were of 1939, 16 of 1940, 36 of 1941 and 91 of 1942.

5 The District Munsif's Court of Udipi was presided over by Sri B.L.N. Rai from 1-1-43 to 10-1-1943. Mr.D.Noronha has been presiding over the

court from 11-1-1943. The increase in arrears in the District Munsif's Court, Udipi, is due mainly to the inexperience of the presiding officer and to some extent to his going on leave for a short period. He was on casual leave on 16-8-1943 and 17-8-43, on extraordinary leave from 11-9-1943 to 22-9-1943 and again on causal leave from 29-9-1943 to 3-10-1943 on account of his marriage. Though his work has been improving in recent months he may not be able to reduce the file to normal single handed.

6 If an additional District Munsif is sanctioned to one of these two courts, some of the suits pending in the other court may be transferred to the court to which an additional officer is sanctioned. The distance from Udipi to Coondapur is only 24 miles and the territory under the jurisdiction of the District Munsif, Coondapur, lies immediately to the north of the territory under the jurisdiction of the District Munsif Udipi.

7 I therefore recommend that provision may be made for the appointment of an additional District Munsif to the District Munsif's Court, Coondapur, for a term of one year at least from an early date. The District Munsifs' Courts of Udipi and Coondapur will be closed for the mid-summer recess on 25-4-1944 and will be re-opened on 6-6-1944.

8 The District Munsifs of Coondapur and Udipi report that it would be possible to accommodate the additional District Munsif and his staff in their court buildings. There is no furniture available for the use of the additional District Munsif and his staff. Some articles of furniture such as a witness box, dais, about 6 tables and about 12 chairs will be necessary. There is no spare typewriter available in any of the courts in this district. Provision may be made for the transfer of a typewriter from any other office for the use of the additional District Munsif and an allotment of about Rs.300/- may be made for the purchase of the articles of furniture mentioned above.

9 Statements in duplicate showing the institutions, disposals and arrears in the several District Munsifs' courts for the last three years are submitted herewith.

RK KMN

Statement showing the institutions, disposals and arrears in the District Munsif's Court, Coondapur, for the years 1941, 1942 and 1943.

Name of the presiding officer.	Period presided over.	Instituted.	Disposed of after full trial	Disposed of Total	Still pending Total	Still pending Old cases.
Original Suits.						
1941.						
Sri M. Venkatappa	1-1-41 -31-12-41	590	227	614	248	
1942. Do.	1-1-42 - 28-10-42		157	519		
" Mr. C.L.Colaco	16-11-42 - 31-12-42		29	90		
Total for the court	1-1-42 - 31-12-42	571	186	609	230	N
1943						
Mr.C.L.Colaco	1-1-43 - 21-9-43 26-9-43 - 4-11-43		41	254	~~(433)~~	
" Sri U. Narayana Rao	26-11-43-31-12-43		12	46	~~(458)~~	
Total for the court	1-1-43 - 31-12-43	508	53	300	~~(885)~~ 452.	~~196~~ 106.
Small Cause Suits.						
1941						
Sri M. Venkatappa	1-1-41 - 31-12-41	611	92	609	71	
1942 Do.	1.1.42 - 28-10-42		75	504		
Mr. C.L.Colaco	16-11-42 - 31-12-42		12	91		
Total for the court	1-1-42 - 31-12-42	579	87	595	60	
1943						
Mr. C.L.Colaco	1-1-43 - 21-9-43 26-9-43 - 4-11-43		51	365	~~(135)~~	
" Sri U. Narayana Rao	26-11-43-31-12-43		5	66	~~(117)~~ 117.	53.
Total for the court	1-1-43-31-12-43	484	56	431	~~359~~	~~80~~

Remarks:-- There was no presiding officer from 29-10-42 to 15-11-42 and from 22-9-43 to 25-9-43, and from 5-11-43 to 25-11-43.

District Court, South Kanara,
Mangalore, 10th February 1944

District Judge.

Statement showing the institutions, disposals and arrears in the District Munsif's Court of Karkal for the years, 1941, 1942 and 1943.

Name of the presiding Officer.	Period presided over.	Instituted.	Disposed of		Still pending.	
			After full trial	Total	Total	old cases
Original Suits.						
1941						
Sri V. Pola Reddi	1-1-41-9-4-41		58	156		
" K.R.Krishniah Chetty	25-6-41-31-12-41		134	360		
Total for the court	1-1-41-31-12-41	502	192	516	301	57
1942						
Sri K.R.Krishniah Chetty	1-1-42-19-11-42		165	465		
Mr. D. Noronha	20-11-42-31-12-42		16	53		
Total for the court	1-1-42-31-12-42	463	181	518	254	45
1943						
Mr. D. Noronha	1-1-43-3-1-43		--	--	--	
Sri B. Poragappa	4-1-43-31-12-43	470	113	427	306	62
Small Cause Suits.						
1941						
Sri V. Pola Reddi	1-1-41-9-4-41		20	116		
" K.R.Krishnaih Chetty	2-6-41-31-12-41		83	399		
Total for the court	1-1-41 - 31-12-41	490	103	515	106	23
1942						
Sri K.R.Krishnian Chetty	1-1-42 - 19-11-42		78	446		
Mr. D. Noronha	20-11-42 - 31-12-42		..	44		
Total for the court	1-1-42 - 31-12-42	452	78	490	70	21
1943						
Mr. D. Noronha	1-1-43 - 3-1-43		--	--		13.
Sri B. Poragappa	4-1-43 - 31-12-43	434	57	444	63	

Remarks:-- There was no presiding officer from 10-4-41 to 1-6-41.

District Court, South Kanara,
Mangalore, 10th February 1944.

District Judge.

Statement showing the institutions, disposals and arrears in the District Munsif's Court of Kasaragod for the years, 1941, 1942 and 1943.

Name of the presiding Officer.	Period pre-sided over.	Insti-tuted.	Disposed of		Still pending	
			After full trial.	Total	Total	Old cases.
Original Suits.						
1941						
Sri E. Krishnamurti	1-1-41 to 26-5-41 ..		99	177		
Sri L.A.Vaidyanatha Ayyar	10-6-41 to 25-6-41		11	34		
Sri G. Nagi Reddi	20-6-41 to 31-12-41. ..		106	304		
Total for the court	1-1-41 to 31-12-41	543	216	515	553	
1942						
Sri G. Nagi Reddi	1-1-42 to 31-12-42		191	469		
Sri A.V.Venkataramana Ayyar Additional Dt. Munsif.	3-6-42 to 16-7-42		29	76		
Mr. J.M.Sequeira, Additional District Munsif.	7-9-42 to 31-12-42		115	243		
Total for the court	1-1-42 to 31-12-42	705	335	788	489	
1943						
Sri G. Nagi Reddi Principal Dt. Munsif.	1-1-43 to 21-2-43					
Do. as Additional Dt. Munsif	22-2-43 to 13-6-43					
	5-7-43 to 31-12-43		190	393		
Mr. P.A.Nazareth (Principal Dt. Munsif)	22-2-43 to 31-12-43		188	417		
Mr. J. M. Sequeira (Additional Dt. Munsif)	from 1-1-43 to 24-1-43		5	9		
Total for the court	1-1-43 to 31-12-43	936*	383	819	654	43
		*excluding one received by transfer				
Small Cause Suits.						
1941						
Sri E. Krishnamurti	1-1-41 to 26-5-41		39	111		
Sri L.A.Vaidyanatha Ayyar	10-6-41 to 25-6-41			24		
Sri G. Nagi Reddi	20-6-41 to 31-12-41 .		79	300		
Total for the court	1-1-41 to 31-12-41.	441	118	435	148	
1942						
Sri G. Nagi Reddi	1-1-42 to 31-12-42		80	339		
Sri A.V. Venkataramana Ayyar Additional Dt. Munsif.	3-6-42 to 16-7-42		8	56		
Mr. J. Sequeira, Additional Dt. Munsif	7-9-42 to 31-12-42		32	128		
Total for the court	1-1-42 to 31-12-42	509	120	523	143	
1943.						
Sri G. Nagi Reddi (Principal Dt. Munsif.	1-1-43 to 21-2-43					
Do. as Additional Dt. Munsif.	22-2-43 to 13-6-43					
	5-7-43 to 31-12-43		70	296		
Mr. P.A.Nazareth (Principal Dt. Munsif)	22-2-43 to 31-12-43		76	259		
Mr. J.M.Sequeira (Additional Dt.. Munsif	from 1-1-43 to 24-1-43		12	8		
Total for the court	1-1-43 to 31-12-43	538	147	563	130	17

Remarks:-- Mr. G. Nagi Reddi was on leave from 14-6-43 to 4-7-43, and there was no presiding officer during that period

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District Court, South Kanara,)
)
Mangalore, 10th February 1944.) District Judge.

Statement showing the institutions, disposals and arrears in the District Munsif's Court of Mangalore for the years, 1941, 1942 and 1943.

Name of the presiding officer.	Period presided over.	Instituted.	Disposed of		Still pending	
			After full trial	Total	Total	Old cases.
Original Suits.						
1941						
Sri L.A.Vaidyanatha Ayyar	1-1-41 to 25-5-41		65	135		
Do. as Additional Dt. Munsif	from 26-5-41 to 31-12-41		123	235		
Sri E. Krishnamurthi as principal Dt. Munsif	from 26-5-41 to 31-12-41		165	311		
Total for the court	1-1-41 to 31-12-41	531	353	681	374	
1942						
Sri E. Krishnamurthi	1-1-42 to 13-4-42					
Principal Dt. Munsif.			73	114		
Sri L.A. Vaidyanatha Ayyar as additional District Munsif.	Do.		76	111		
Sri E. Krishnamurthi as sole Dt. Munsif	from 25-5-42 to 31-12-42		192	424		
Total for the court	1-1-42 to 31-12-42	562	341	649	307	
1943						
Sri E. Krishnamurthi	1-1-43 to 31-12-43	571	293	612	281	15
Small Cause Suits.						
1941						
Sri L.A.Vaidyanatha Ayyar	1-1-41 to 25-5-41		74	250		
Do. as additional Dt. Munsif.	from 26-5-41 to 31-12-41		77	332		
Sri E. Krishnamurthi as principal Dt. Munsif	from 26-5-41 to 31-12-41		80	427		
Total for the court	1-1-41 to 31-12-41	907	231	1009	206	
1942						
Sri E. Krishnamurthi	1-1-42 to 13-4-42					
principal Dt. Munsif.			27	126		
Sri L.A.Vaidyanatha Ayyar as Additional Dt. Munsif.	do.		37	137		
Sri E. Krishnamurthi as sole Dt. Munsif	from 25-5-42 to 31-12-42		89	602		
Total for the court	1-1-42 to 31-12-42	752	153	865	104	
1943						
Sri E. Krishnamurthi	1-1-43 to 31-12-43	577	122	697	99	19

District Court, South Kanara,
Mangalore, 16th February 1944

District Judge.

12

Statement showing the institutions, disposals and arrears in the District Munsif's Court of Puttur, for the years 1941, 1942 and 1943.

Name of the presiding officer.	Period presided Over.	Instituted.	Disposed of		Still Pending.
			After full trial	Total	Total	Old cases.
Original Suits.						
1941 Sri D.R.Venkatesa Ayyar	1-1-41 to 31-12-41	462	211	463	347	78
1942	Do.	1-1-42 to 31-12-42	444	187	504	305	64
1943	Do.	1-1-43 to 31-12-43	465	196	482	304	~~59~~ 50
Small Cause Suits.						
1941 Sri D.R.Venkatesa Ayyar	1-1-41 to 31-12-41	300	46	303	61	18
1942 Sri D.R.Venkatesa Ayyar	1-1-42 to 31-12-42	276	42	285	49	17
1943.	Do.	from 1-1-43 to 31-12-43	263	39	273	38	9

Remarks:-- Mr. D.R.Venkatesa Ayyar was on leave from 18-6-43 to 17-7-43 and there was no presiding officer during the said period.

District Court, South Kanara,)
Mangalore, 10th February 1944.)

District Judge.

5

Statement showing the institutions, disposals and arrears in the District Munsif's Court of Udipi for the years, 1941, 1942 and 1943.

Name of the presiding officer.	Period presided over.	Instituted.	Disposed of		Still pending	
			After full trial	Total	Total	Old cases.
Original Suits.						
1941						
Sri B. Koragappa	1-1-41 to 31-12-41	467	160	460	231	
1942 Do.	1-1-42 to 4-10-42		82	396		
" Sri B.L.N. Rai	5-10-42 to 31-12-42		34	119		
Total for the court	1-1-42 to 31-12-42	532	116	515	258	N
1943: Mr.B.L.N.Rai	1-1-43 to 10-1-43		--	3		
Mr. D. Noronha	1-1-43 to 13-4-43)					
	27-5-43 to 10-9-43)					
	23-9-43 to 31-12-43)		72	344		
Total for the court	1-1-43 to 31-12-43	437	72	347	354	145
Small Cause Suits.						
1941						
Sri B. Koragappa	1-1-41 to 31-12-41	632	94	640	110	
1942 Do.	1-1-42 to 4-10-42		50	473		
" Sri B.L.N. Rai	5-10-42 to 31-12-42		13	113		
Total for the court	1-1-42 to 31-12-42	604	63	586	128	
1943						
Mr. B.L.N. Rai	1-1-43 to 10-1-43					
Mr. D. Noronha	11-1-43 to 13-4-43)					
	27-5-43 to 10-9-43)		49.	464.		
	23-9-43 to 31-12-43)		~~96~~	~~339~~		
Total for the court	1-1-43 to 31-12-43	489	49	468	147	98

District Court, South Kanara,
Mangalore, 10th February 1944.

District Judge.

C.No.6407E.

Home department.

Courts - Civil - SOUTH KANARA district - District Munsif's Court, COONDAPUR - Appointment of ~~an~~ temporary additional district munsif - Sanctioned.

From the High Court:R.O.C. No. 681/44-D2 d. 1-3-44.

G.O. Ms. No. 1113 dated. 6-4-1944

Sanction is accorded -

(1) to the appointment of an additional district munsif to the District Munsif's Court, COONDAPUR in the South Kanara district from the date of the re-opening of that court after its ~~the~~ summer recess in ~~for~~ 1944, ~~(6-6-1944)~~, till the date of the closing of the court for the summer recess in 1945.; and

(2) to the addition to the establishment of the District Munsif's Court, COONDAPUR of three clerks on Rs. 30-5 and three peons on Rs. 12-17 each per mensem for so long

as the number of officers presiding over the court remains at two.

2. The expenditure should be debited to "27. Administration of Justice -e.Civil and Sessions Courts -B. Mufassal Civil and Sessions Courts - Regular establishments- Authorised."

3. The following notification will be published in the Fort St. George Gazette:

Notification.

Under section 4 of the Madras Civil Courts Act, 1873 (as amended by Madras Act III of 1925) (III of 1873), H.E. the Governor of Madras, after consultation with the High Court, is pleased to direct that the number of district munsifs to be appointed to the district munsif's Court, COONDAPUR in the district of South KANARA, shall be two with effect from the date on which that court reopens after its summer recess in 1944.

To

The Hon. the C.J.
" Dt. Judge, South Kanara.
" A.G. thro' the Fin dept.
" Fin dept.
" S.G.P. for publn of the notn in the Gazette (para 3).

Issued by PK

18/

8977E
20/3/45

PROCEEDINGS OF THE HIGH COURT OF JUDICATURE AT MADRAS.

Subject: Courts-Civil-South Kanara District-appointments of Additional District Munsifs-Coondapur and Kasaragod-Continuance for one year-sanctioned-

Read the following:

1. G.O.Ms.No.1113 Home Department-dated 6-4-1944-
2. High Court's Proceedings R.Dis.No.351/44 dated 23-3-44.
3. Letter No.A.71/45-dated 16-2-1945 from the District Judge, South Kanara-

O R D E R: R.Dis.No. 337 of 1945 Dated 17th March 1945.

Under the powers delegated in G.O.No.Ms.2263, Home Department-dated 13-9-1943, the High Court sanctions the continuance of the following appointments of Additional District Munsifs and their establishments in South Kanara District for the periods noted against each.

1.	Appointment of Additional District Munsif, Coondapur and the establishment sanctioned in G.O.Ms.No.1113, Home Department dated 6-4-1944.	For a period of one year from 21-4-45 (As soon as the pendency in the D.M.C.Coondapur is reduced to normal the officers can be transferred to D.M.C.Udipi as Additional District Munsif to clear off arrears there).

p.t.o.

11.	Appointment of Additional District Munsif, Kasaragod and the establishment last sanctioned in High Court's Proceedings R.Dis.No.351 of 1944 dated 23-3-1944.	For a further period of one year from 15-4-45.

2. The expenditure should be met from the appropriation under "27-Administration of Justice - B-Mufassal Civil and Sessions Courts-Regular establishments-authorised."

Chavanamirthiah 1945

High Court, Madras,
D.17th March 1945.

for Registrar.

To
The District Judge, South Kanara.

Copy to:
1. The Secretary to Government, Home Department, Madras.
2. The Accountant-General. Madras.

Home Deptt
may be lodged and added to G.O.1113 Home dated

Home Department.

Courts - Civil - South Kanara district - District Munsif's Court, Coondapur - Appointment of additional district munsif.

C.No. 6407. From the High Court, R.o.c. No. 681/44-D2, dated 1.3.44.

The ~~Hon. Judges~~ High court recommend that an additional district munsif with the usual staff of 3 clerks and 3 peons be appointed to the Dt. Munsif's Court, Coondapur, from the date of the re-opening of the court after the summer recess for 1944, (6.6.1944), till the date of the closing of the court for the summer recess, 1945, i.e., for a period of about 10½ months. The circumstances in which the additional court is required are explained in detail by the Dt. Judge, South Kanara, in his letter to the High Court on pp. 2-4 c.f. In para 6 on p. 4 c.f. the Dt. Judge has stated that, if an addl. dt. munsif is sanctioned to one of the two courts (Coondapur and Udipi), some of the suits pending in the other court may be transferred to the court to which an additional officer is sanctioned.

2. The High Court has stated that the addl. court is required because of the low outturn of work by the Dt. Munsifs at Coondapur and Udipi and that it would cause serious inconvenience to the public to postpone until June 1945 the work of tackling the arrears.

3. The state of work in the Dt. Munsif's Court, Coondapur, since 1941 is as follows:-

Dt. Munsif's Court, Coondapur.

YEAR.	Original suits. Ins.	Dis.	Pending.	Small Cause suits. Ins.	Dis.	Pending.
1941	590	614	248	611	609	71
1942	571	609	230	579	595	60
1943	508	300	452 (106)	484	431	117 (53)

Standard outturn 225.

It will be seen from the ~~above~~ statement that ~~under~~ in institutions + disposal under O.S. and S.C.S. there has been a fall since 1941. ~~There has been a fall in disposals under O.S. and S.C.S. in 1943~~ as compared ~~with those of 1942~~. The

pendency under O.S. and S.C.S. is on the increase in 1943, as compared with the figures in 1942. On the basis of standard outturn of 225 old suits after full trial the pendency of 452 O.S. out of which 106 are old suits will represent work for two officers for a period of one year.

4. The state of work in the Dt. Munsif's Court, Udipi, since 1941 is as follows:--

YEAR.	Original suits. Ins.	Dis.	Pending.	Small Cause suits. Ins.	Dis.	Pending.
1941	467	460	231	632	640	110
1942	532	515	258	604	586	128
1943	437	347	354(145)	489	468	147 (98)

Standard outturn 145

It will be seen that the institutions under O.S. and S.C.S. since 1942 have been on the decrease. There has been a fall in disposals in 1943 under O.S. The pendency under O.S. and S.C.S. is on the increase since 1941. On the basis of the standard outturn the pendency of 354 O.S. of which 145 are old suits will provide work for 2 officers for a period of more than one year.

5. The cost of the proposal works out to Rs.5,795 as shown below:--

	Based on average pay. Rs.
1 District munsif 230-405 ..	335
3 Clerks on Rs.30-55 p.m. ..	126.3
3 Peons on Rs.12-17 p.m. ..	44.1
Dearness allowance for 3 clerks and 3 peons at Rs.6½ p.m.	46.5
	551.9

For 10½ months Rs.5,795

As this exceeds Rs.5,000 p.a. the proposal will have to be treated as a new service and orders may be taken in full circulation. As regards the provision of funds, it is too late to alter part I of the B.E. for 1944-45. The question of applying for a supplementary appropriation for meeting the full expenditure by re-appropriation or of obtaining a token grant may be considered in consultation with the High Ct. about the 15th May next.

6. Finance may see for remarks.

6-3-44 6-3-44 the High Court's proposal may be accepted. 7/3/44 7/3/44

Home dis. 6407 E/44-1 9.3.44

Finance (E.I).

In the circumstances explained by the High Court on pp.1-2 and set out in the note of Home on pp.1-2 above, the proposal to sanction an additional District Munsif with the usual staff of 3 clerks and 3 peons for the District Munsif's Court at Coondapoor in the South Kanara district for a period of about 10½ months from the date of re-opening of the court after summer vacation in June 1944 may be accepted in this department.

ASST. SECRETARY TO GOVERNMENT 9 MAR 1944 FINANCE DEPARTMENT

10967 E1

2. Funds. The proposal should have ordinarily been brought forward as a Part II Scheme for 1944-5. The High Court has explained why it could not be so done. As the scheme has, therefore, to be treated as one for introduction in 1944-5, and as the expenditure involved is Rs.6,477, the proposal will have to be treated as a 'new service' Finance may agree that action may be taken as suggested by Home at K on page 2 above in the matter of obtaining orders in circulation and of providing funds

ASSISTANT SECRETARY TO GOVERNMENT 12 MAR 1944 HOME DEPARTMENT

Vide general working on the margin of p.2 above

7511E 13/3

W.O.10967E1-1 1-3-44.

C.M. 11/3/44. 11.3.44. 12/3/44 Home

Home Dept.

This case relates to the appointment of an addl. dt. munsif with the usual staff of three clerks and three peons to the dt. munsif's court, Coondapur, S. Kanara dt., from the date of re-opening of that court after the summer recess for 1944 (6.6.44) to the date of closing of the court for the summer recess for 1945; i.e., for a period of about 10½ months. ~~The High Ct. has stated that~~ The additional court is required to clear ~~off~~ the arrears in the dt. munsifs' courts, Coondapur and Udipi, consequent on the low outturn of work by the dt. munsifs of those courts, (one of whom had a nervous breakdown and the other was an inexperienced dt. munsif on probation). It is stated that it would cause serious inconvenience

R

964

6407E

to the public to postpone till June 1945 the work of tackling the arrears.

2. On an examination of the statistics of the two courts it is observed that the pendency of original suits in both the courts will provide sufficient work for two officers for a period of one year in each of the courts. The proposal was recommended by this dept. and has been accepted by the Fin. dept.

3. In the normal course the proposal should have been brought forward as a Part II scheme for 1944-5. The High Ct. has explained that it was not possible to forward the proposal in connection with Part II schemes for that year as the need for relief was not foreseen at the time. the courts not being really heavy ones which might be expected to require relief. The scheme has to be treated as a new one for introduction in 1944-45. As the expenditure involved is Rs. 6,477 the proposal will have to be treated as a 'new service' As regards provision of funds, it is now too late to alter Part I of the Budget for 1944-5. The question of applying for a supplementary appropriation or of obtaining a token grant will be considered in consultation with the High Ct. by about the 15th May next.

4. The point for orders is whether an additional district munsif with the usual staff of 3 clerks and 3 peons may be sanctioned for the dt. munsif's court, Coondapur, for the period from 6.6.44 till the date of closing of the court for the summer recess in 1945 as recommended by the High court.

6.3.44. 16.3.44

16/3/44

16/3/44.

A2 May be sanctioned.

17 3 44

A4 SJR 16/3/44

A3 20/3/44

A1 AH. 26/3/44

HE

PRINT SECRETARY 11 MAR 1944 HOME DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT 31 MAR 1944 HOME DEPARTMENT

Home dept.

Please see the orders in circulation at foot of page 4 ante.

A draft order is submitted for approval. ~~Finance~~ may see.

After issue of the order, action will be taken with reference to M on page 4 ante.

(Issued as Gro: 1113 Home & 6.4.1944)

(C.No.1585-3.E)

Home Department.

Extract from notes in G.O. 1113 Home d.6-4-44.
(~~an~~ sanction ~~to~~ the appointment of a temporary additional district munsif to the D.M.C.Coondapur.)

xxx xxx xxx Home dept.

As the con ~~this~~ exceeds Rs. 5000/- p.a. the proposal will have to be treated as a new service and orders may be taken in full circulation. As regards provision of funds, it is too late to alter Part I of the B.E. for 1944-5 The question of applyin_ for a supplementary appropriation to meet the full expenditure by reappropriation or of obtaining a token grant may be considered in consultation with the High Court about the 15th May Next.

K

T.K.
7-3-44
C.T.
7-3-44.

Finance(E.I)

xxx xxx xxx xxx

2.Funds. The proposal should have ordinarily been brought ~~xxx~~ forward as a Part II scheme for 1944-5. The High Court has explained why it could not be so done. As the scheme has, therefore, to be treated as one for introduction in 1944-5, and as the expenditure involved is Rs.6477/ the proposal will have to be treated as a 'new service'. Finance may agree that action may be taken as suggested by Home at K. ~~xxxx~~ above in the matter of obtaining orders in circulation and of providing funds.

T.A.V(anghee)
12-3-44

Home Dept.

~~Please~~ see the orders in circulation . A draft order is submitted for approval. After issue of the order, action will be taken with reference to K as above.

T.K. 5.4.44.

[Issued as Ab. M. 1113 Home, dated 6.4.44].

+ draft letter to the High Court is submitted for approval with reference to K above.

74
VB/5/44

(Issued letter No, 15853 E/44-1 dated 16-5-1944)

From the High Court: R.O.C. No. 2175/44 D1 dated 19-5-44.

Please see the letter to the High Court and its reply at pp/-3 c.f. As it is stated that the extra cost can be met by reappropriation from the current year's budget, it will be sufficient to obtain a supplementary authorisation for a token sum of Rs. 100/-. A draft supplementary estimate of expenditure in respect of the orders in G.O. 1113 Home dated 6-4-44 is submitted for approval. It may be sent to the Finance Deptt. for acceptence.

Home & O. 15853 E/44-2
29.5.44.

29 MAY 1944

Finance E.I.

(Previous Finance notes on page 1 above)

The draft note on Supplementary estimate of expenditure may be accepted and the case returned to Home.

Fin 25027 E II-1
1.6.44.
Through B.C.

1.6.44
Home.

Home & E Department.

Please see the Finance department's note above. Four copies of the note on the supplementary estimate of expenditure are kept below. A draft u.o. note forwarding them to the Finance department is submitted for approval. The file may lie over till the supplementary estimate of expenditure is authorised by His Excellency.

(Printed) Pp. 36 (S)

His Excellency the Governor has authorised the supplementary estimate of expenditure under Item (iii) on page 5 of G.O. 122 Finance dated 7-2-1945. No further action is necessary. These papers may be filed with G.O. 1113 Home dated 6-4-1944.

Passed.

Home Department.

Supplementary estimate of expenditure for the year 1944-45.

Grant XII - Administration of Justice.

Amount required for further expenditure.

Authorised	...	Rs. 100/-
Total of sums charged	...	Nil

SUMMARY.

Major head	Minor Head	Sub-heads of appropriation.	Estimated amount of further expenditure Rs.
27. Administration of Justice.	Civil Courts.	B - Mufassal Civil and Sessions Courts - Regular establishments - Pay of officers - Authorised.	100

EXPLANATORY NOTE.

With a view to clear the arrears in the District Munsif's Court Coondapur and Udipi, the Hon. the Judges of the High Court recommended in March 1944 the appointment of an additional district munsif to the D. munsif's court, Coondapur with the usual establishment of three clerks and three peons ~~to the District Munsif's Court Coondapur~~ from the date of the reopening of the court after its summer recess in 1944 till the date of the closing of the court for the summer recess in 1945 (i.e. for about 10½ months.) ~~It is stated that it would cause serious inconvenience to the public to postpone until June 1945 the work of tackling the arrears.~~ The Government accepted the recommendation and issued orders accordingly. The proposal involves extra expenditure of Rs. 6477/-.

2

2. As the expenditure is on a new service, a token sum of Rs.100 is included in the supplementary estimate. The balance of the appropriation required will be met from savings within the grant.

39
15853 E
15.5.44

Home Dept.

Letter Ref. No. 15853 E/44-1 dated 16.5.44.

To The Hon. The C.J.
High Court, Madras.

Hon'ble Sir,

(Courts - Civil - South KANARA District - D.M.C. COONDAPUR - Appointment of a temporary additional district munsif - sanctioned. G.O. 1113 Home 6.4.44 de.)

I am to invite reference to G.O. 1113 Home/6.4.44 on the subject cited and to request that the Hon. the Judges will be so good as to state whether the extra cost involved ~~in the maintenance of the additional district munsif's court~~ can be met from the provision under the head "Contingencies" for the current year.

~~to the M. Munsif's Court, KOONDAPUR~~

Can
~~Could~~ be met by re appropriation from the current years budget.

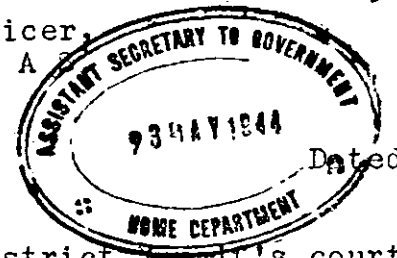
(R.D. 1 month)

R.O.C.No.2175/44 D-1

165-60 E
-23/5/44 3

From

Sri. S.Srinivasa Ayyar B.A.B.L.,
Official Referee & Vacation Officer,
High Court, M A D R A S.



To

The Secretary to Government,
Home Department.

Dated 19-5-44

Sir,

Courts - civil - South Kanara District - District Munsif's court, Coondapur - Appointment of a temporary additional District Munsif - sanctioned in G.O.No.1113 Home Dated 6-4-1944.
Refce: Your letter No. 15853-E/44-1 Dated 16-5-1944.

The extra cost involved can be met by re-appropriation from the current year's budget.

Srinivasa Ayyar

Official Referee & Vacation Officer.

TRR/19-5